

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID PEPE WILSON, :
Plaintiff, :
v. : Case No. 3:07-cv-293-KRG-KAP
SHARON M. BURKS, et al., :
Defendants :
:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on August 8, 2008, docket no. 23, recommending that defendants' motion to dismiss the complaint, docket no. 15 ¹⁵ 19, be granted as to defendants Krysevig and Reisinger and denied as to defendant Burks. The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. No one has objected, and the time to do so has expired.

Upon review of the record of this matter and the Report and Recommendation, the following order is entered:

AND NOW, this 2nd day of October 2008, it is
ORDERED that defendants' motion to dismiss the complaint,
docket no. 15, is granted as to defendants Krysevig and Reisinger
and denied as to defendant Burks. The Report and Recommendation
is adopted as the opinion of the Court.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

David Pepe Wilson AY-8061
S.C.I. Cresson
P.O. Box A
Cresson, PA 16699-0001